

MEETINGS TO DATE 24
NO. OF REGULARS 19
NO. OF SPECIALS 5

LANCASTER, NEW YORK
OCTOBER 5, 1987

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of October 1987, at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
THOMAS E. FOWLER, CHIEF OF POLICE
ROBERT L. LANEY, BUILDING INSPECTOR
JOHANNA M. COLEMAN, RECEIVER OF TAXES
MALCOLM J. FRANCIS., JR., ASSESSOR

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all Interested persons upon the application for a Special Use Permit for a Collision Shop upon property locally known as 3889 Walden Avenue.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning, and the Village Clerk of the Village of Lancaster, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone subject to four restrictions.

The Town Clerk presented the following communication relative to this Public Hearing: October 5, 1987 agenda communication item no. 735 - a letter dated September 28, 1987 from David M. Lechner, 3893 Walden Avenue, Lancaster, New York, opposing the granting of the Special Use Permit.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M. CONT'D:

PROPONENTS

ADDRESS

August Kelcher,
the petitioner

P.O. Box 231
North Java, New York 14113

Dennis Kelcher

34 Kelcher Road
Depew, New York 14043

OPPONENTS

ADDRESS

David M. Lechner

3893 Walden Avenue
Lancaster, New York 14086

QUESTIONS

ADDRESS

None

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:30 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, designated Chapter 46, Article VIII, "Stop and Yield Intersections", of the Code of the Town of Lancaster regarding Plumb Estates.

Affidavits of Publication and Posting of a Notice of Public Hearing were presented and ordered placed on file.

QUESTIONS

None

PROPONENTS

ADDRESS

None

OPPONENTS

ADDRESS

None

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

The Town Board, later in the meeting, adopted a resolution hereinafter spread at length in these minutes, amending Chapter 46, Vehicle and Traffic Ordinance, of the Code of the Town of Lancaster.

PUBLIC HEARING SCHEDULED FOR 8:45 P.M.:

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, designated Chapter 46, Article VIII, "Stop and Yield Intersections", of the Code of the Town of Lancaster regarding Penora/Como Park Boulevard.

Affidavits of Publication and Posting of a Notice of Public Hearing were presented and ordered placed on file.

QUESTIONS

None

COMMENTS

Thomas Fowler, Chief of Police

Town of Lancaster

PROPOSERS

Ralph Moore, Legislator
17th Legislative District

ADDRESS

5622 Broadway
Lancaster, New York 14086

Albert Benedict

1166 Penora Street
Lancaster, New York 14086

OPPOSERS

None

ADDRESS

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:30 P.M.

The Town Board, later in the meeting, adopted a resolution hereinafter spread at length in these minutes, amending the Vehicle and Traffic Ordinance of the Code of the Town of Lancaster.

COMMITTEE REPORTS:

The Town Clerk reported that the Supervisor of the Town of Lancaster has filed with his office a Tentative Budget for the Year 1988 for Special Districts and the General Operations Budget of the Town for the Year 1988.

The Town Clerk presented the 1988 Budgets to the Town Board.

The Town Clerk was requested to refer copies of the budgets to the Town Board Members for their review.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board and the Planning Board, held on September 21, 1987, and the Regular Meeting of the Town Board, held on September 21, 1987, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

File: R-MIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, Public Hearings were held on the 5th day of October, 1987
for the purpose of amending Chapter 46 -Vehicle and Traffic Ordinance of the
Code of the Town of Lancaster, and persons for and against such amendments
have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearings was duly published and
posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of
the Town of Lancaster, be amended in the form attached hereto and made a part
hereof;
2. That said amendments be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 5th day of October, 1987;
3. That a certified copy thereof be published in the Lancaster Bee
on October 8, 1987;
4. That a certified copy of the amendments be posted on the Town
Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the
Town Clerk, and
6. That the Highway Superintendent take whatever action is necessary
to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 5, 1987

LEGAL NOTICE
 NOTICE OF ADOPTION OF AMENDMENT
 TO
 VEHICLE & TRAFFIC ORDINANCE
 OF THE
 TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
 DESIGNATED CHAPTER 46 OF CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

ARTICLE VIII - Stop and Yield Intersections:-

§46-8, Stop Intersections designated, is hereby amended by adding thereto:

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Steinfeldt Rd.	North/south	Plumb Creek Trail	Westbound	N.E. Corner
Plumb Creek Trail	East/West	Jenny Lane	Southbound	N.W. Corner
Penora Street	North/south	Como Park Blvd.	Eastbound	S.W. Corner
Penora Street	North/south	Como Park Blvd.	Westbound	N.E. Corner

ARTICLE X - Parking, Standing and Stopping.

§46-12. Parking prohibited in designated locations, is hereby amended by adding thereto:

A.

(28) Plumb Estates Subdivision

- a. On entire north side of Plumb Creek Trail from the intersection of Steinfeldt Road past Jenny Lane to its end.
- b. On south side of Plumb Creek Trail from the intersection with Steinfeldt Road to a point 290 ft. east of the intersection.
- c. On east side of Jenny Lane from its intersection with Plumb Creek Trail to a point 210 feet north of that intersection.
- d. On west side of Jenny Lane from its intersection with Plumb Creek Trail to a point 45 feet north of that intersection.

§46-13. Standing prohibited in designated locations, is hereby amended by adding thereto:

A.

(28) Plumb Estates Subdivision

- a. On the entire north side of Plumb Creek Trail from the intersection of Steinfeldt Road past Jenny Lane to its end.

- b. On south side of Plumb Creek Trail from the intersection with Steinfeldt Road to a point 290 ft. east of the intersection.
- c. On east side of Jenny Lane from its intersection with Plumb Creek Trail to a point 210 ft. north of that intersection.
- d. On west side of Jenny Lane from its intersection with Plumb Creek Trail to a point 45 ft. north of that intersection.

STATE OF NEW YORK:

COUNTY OF ERIE:

TOWN OF LANCASTER:

This is to certify that I. ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the TOWN OF LANCASTER in the said County of Erie, have compared the foregoing copy of the Amendment to the Vehicle and Traffic Ordinance, with the original thereof filed in my office at Lancaster, New York on the 5th day of October, 1987, and that the same is a true and correct copy of said Original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town, this 6th day of October, 1987.

Robert P. Thill
Town Clerk and Registrar of Vital Statistics

PREFILED RESOLUTION NO. 3 - OCTOBER 5, 1997

Approve Dumping Permit - Clyde A. Mays, Jr.

At the request of Councilman Miller, Prefiled Resolution No. 3 was withdrawn for further study.

PREFILED RESOLUTION NO. 3 - OCTOBER 5, 1987

Approve Dumping Permit - Clyde A. Mays, Jr.

At the request of Councilman Miller, Prefiled Resolution No. 3 was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, on the 19th day of October, 1987, at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published on or before the 8th day of October, 1987, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of October, 1987, the said Town Board will hold a Public Hearing on the 19th day of October, 1987, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

ARTICLE VIII - Stop and Yield Intersections:-

§46-8, Stop Intersections designated, is hereby amended by adding thereto:

.....

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Country View Way	East/west	Pheasant Run	Northbound	S.E. Corner
Country View Way	East/west	Pheasant Run	Southbound	N.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

October 5, 1987

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

WHEREAS, there is a demonstrated need in the community for the operation of a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' and Girls' Club to serve the needs of youth between the ages of 13 and 18 in the Village of Depew and the Depew area of the Town of Lancaster, and

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' and Girls' Club within the geographic area of the Town of Lancaster for the period of January 1, 1988 through December 31, 1988, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for state aid for the operation of such Youth Recreation Program to the New York State Division for Youth, Albany, New York, for partial reimbursement of funds to be expended on said program, and

WHEREAS, a proposed budget for the Youth Initiatives-Junior Citizens Club Program has been submitted for the period January 1, 1988 through December 31, 1988, in the sum of \$11,912.00, subject to final approval by the Town Board,

NOW, THEREFORE, BE IT

RESOLVED:

That the renewal application to the New York State Division for Youth is in all respects approved and that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and hereby is authorized and directed to execute and present the aforesaid application to the New York State Division for Youth, Albany, New York, for its approval, and

BE IT FURTHER

RESOLVED, that the Town Attorney be and is hereby authorized to negotiate and prepare an agreement by and between the Town of Lancaster and the Depew/Lancaster Boys' and Girls' Club, Inc. for the operation of a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' and Girls' Club for 1988, said Agreement to be subject to final approval by the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA ABSTAINED*

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

*Councilman Giza abstained because of his interest as a director of the Depew/Lancaster Boys' and Girls' Club.

October 5, 1987

File: R-STATE-YTH (P5&6)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, by letter dated
September 9 1987, has requested the confirmation of one new member duly
elected to the membership of the Twin District Volunteer Fire Company, and the
deletion of one member from the membership of the Twin District Volunteer Fire
Company

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the addition to, and the deletion from, the membership of the Twin
District Volunteer Fire Company of the following individuals:

ADDITION

Robert W. Klalber
4896 William Street
Lancaster, New York 14086

DELETION

Michael V. Correa

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 5, 1987

FILE: R-FIRE (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated September 23, 1987, has requested authorization to have five members of the Emergency Response Team attend the annual training exercise known as "Operation Tri-Star", to be held October 12, 13 and 14, 1987 at Fort Drum, New York, and

WHEREAS, the Chief of Police has requested the authority to send three officers for two days, and two officers for three days, with the only cost to the department being the mileage for one vehicle, at standard rates, and actual cost of gasoline for Police Vehicle No. 29, which will also be used for transportation to Fort Drum, New York,

NOW, THEREFORE, BE IT

RESOLVED, that DET. PETER ARENA, OFF. PASQUALE ARDINO, OFF. RICCARDO ZUPPELLI, OFF. TIMOTHY MURPHY and OFF. KEITH KERL, members of the Emergency Response Team, be and hereby are authorized to attend the annual training exercise known as "Operation Tri-Star", to be held October 12, 13, and 14, 1987 at Fort Drum, New York, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized in an amount not to exceed \$200.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, Joseph Oleksy, 180 Chairfactory Road, Elma, New York, has
applied for a Dumping Permit for property situate at 3586 Bowen Road, within
the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of
Lancaster, and

WHEREAS, the application was referred to the Building Inspector
and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer have completed
their review and made a formal, favorable recommendation to the Town Board,

NOW, THEREFORE, BE IT

RESOLVED, that Joseph Oleksy, 180 Chairfactory Road, Elma, New
York, be and is hereby authorized to to dump and dispose of materials
outside permitted sanitary landfills within the Town of Lancaster, namely on
premises owned by the applicant at 3586 Bowen Road, said dumping to be in
strict conformance with the application of the petitioner as filed in the
Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

October 5, 1987

File: R-PRMT-DP-0 (Page 1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, by resolution dated June 15, 1987, adopted a Deferred Compensation Plan for the volunteer participation of all eligible employees of the Town of Lancaster, and

WHEREAS , the Town of Lancaster Police Benevolent Association, by letter dated October 2, 1987, has requested authorization from the Town Board to participate in said plan,

NOW, THEREFORE, BE IT

RESOLVED, that the members of the Town of Lancaster Police Benevolent Association be and are hereby authorized to participate in the Deferred Compensation Plan for eligible employees of the Town of Lancaster as established by the Town Board pursuant to resolution adopted on June 15, 1987.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 3517 to Claim No. 3724 Inclusive.

Total amount hereby authorized to be paid:

\$ 303,497.92

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER, TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the Issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
384	Centennial Homes Inc.	10 Robins Nest Ct.	ER. SIN. DWLG, GARAGE
385	Centennial Homes Inc.	12 Robins Nest Ct.	ER. SIN. DWLG, GARAGE
386	DJH Enterprises	5549 William St.	ER. SIN. DWLG
387	Beauty Pools	9 Shadyside La.	ER. POOL
388	St. Adalberts Church	6200 Broadway	ER. STOR. BLDG.
389	W.F.B. Enterprises	65 Country Pl.	ER. SIN. DWLG, GARAGE
390	M/M Wm. Herdzik	52 Pheasant Run La.	ER. FIREPLACE
391	Telco Const., Inc.	4260 Walden Ave.	EXT. REST.
392	Greg Borgosz	420 Central Ave.	ER. SHED
393	R. Neth & Son, Inc.	5280 William St.	ER. GARAGE
394	Charles Batterson	23 Old Post Rd.	ER. SHED
395	Lovejoy Floor Covering	1551 Como Park Blvd.	ER. SIN. DWLG, GARAGE
396	Gates Const.	3581 Bowen Rd.	ER. SIN. DWLG, GARAGE
397	NDC Homes	30 Country Pl.	ER. SIN. DWLG, GARAGE
398	Homes by Helenbrook	31 Plumb Creek Tr.	ER. SIN. DWLG, GARAGE
399	Homes by Helenbrook	12 Jenny La.	ER. SIN. DWLG, GARAGE
400	Homes by Helenbrook	11 Jenny La.	ER. SIN. DWLG, GARAGE
401	Karl Collision	110 Cemetery Rd.	ER. STOR. BLDG
402	Salvatore Oddo	6699 Transit Rd.	ER. APT. COMPLEX
403	Robert Zichittella	53 Country Pl.	ER. SHED
404	Lawrence Konendat	514 Hall Rd.	ER. POLE BARN
405	Frank Kirst	19 Quail Hollow	ER. SHED
406	M/M David Folekemer	205 Peppermint Rd.	ER. SIN. DWLG, GARAGE
407	Fred Donato	226 Warner Rd.	ER. SIN. DWLG, GARAGE

and,

BE IT FURTHER

RESOLVED, that the following Building Permit Application be referred to the Planning Board for review and recommendation relative to site plan approval:

408 Fred Donato 226 Warner Rd. ER. SIN. DWLG, GARAGE
and,

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 386, 396, and 406, be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

File: R-BLDG

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:-

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of October, 1987, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published on or before the 8th day of October, 1987, in the Lancaster Bee, the official Newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of October, 1987, the said Town Board will hold a Public Hearing on the 19th day of October, 1987, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of the said Town:

ARTICLE VIII - Stop and Yield Intersections:-

§46-8., Stop Intersections designated, is hereby amended by adding thereto:

.

<u>STREET</u>	<u>DIRECTION</u>	<u>ENTRANCE STREET</u>	<u>TRAFFIC STOPS</u>	<u>SIGN LOCATION</u>
Heritage Dr.	North/south	Greenbriar Dr.	Eastbound	S.W.Corner
Heritage Dr.	North/south	Oakwood Common	Eastbound	S.W.Corner
Green Meadow Dr.	East/west	Heritage Dr.	Southbound	N.W.Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

October 5, 1987

Councilman Czaplá requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY THE ENTIRE
GIZA , TO WIT:

WHEREAS, the Chiefs of Police of the Town of Lancaster, Village of Lancaster, and Village of Depew have jointly recommended to their various municipal boards that a set date and time be set aside for the observance of Halloween within the Town of Lancaster, including the Villages therein,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, hereby declares Saturday, October 31, 1987, between the hours of 6:00 P.M. and 8:30 P.M., as the official period during which Halloween trick or treat activities may be observed within the Town of Lancaster, outside the Villages.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

October 5, 1987

File: R-P.R. (P1)

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1987.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase II and Phase III (Marrano/Marc Equity).
This item remains under unfinished business until a retention basin is constructed on the Lancaster Sr. High School property.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase IV (Marrano/Marc Equity).
This item remains under unfinished business until P.I.P. No. 109 (street lighting) is accepted and a retention basin is constructed on the Lancaster Sr. High School property.
4. Public Improvement Permit Authorization - Countryside Subdivision, Phase II (Josela Enterprises)
This item remains under unfinished business until P.I.P. No. 102 (street lights) is accepted by the Town of Lancaster.
5. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase I (Marrano/Marc Equity)
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
6. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase II (Marrano/Marc Equity)
This item remains under unfinished business until P.I.P. No. 108 (street lighting) is accepted by the Town Board.
7. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)
On August 10, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 122 (street lighting), 123 (sidewalk), 124 (pavement and curbs), 125 (storm sewer), and 126 (water line). On September 8, 1987, the Town Clerk was authorized to issue P.I.P. No. 128 (Detention Basin).
8. Public Improvement Permit Authorization - Lancaster Commerce Center (Gelert Development)
The Town Board authorized issuance of P.I.P. Nos. 79 (water main) and 80 (retention basin) on June 6, 1983.
9. Public Improvement Permit Authorization - Plumb Estates (Galasso)
The item remains under unfinished business until P.I.P. No. 127 (detention basin) and P.I.P. No. 114 (street lighting) is accepted by the Town Board.
10. Public Improvement Permit Authorization - Plumb Estates South, Phase I (Galasso)
The Town Board authorized issuance of P.I.P. Nos. 116 (pavement and curbs), 117 (storm sewer), and 118 (water line) on August 11, 1987.
11. Public Improvement Permit Authorization - Plumb Estates South, Phase II (Galasso)
The Town Board authorized issuance of P.I.P. Nos. 119 (pavement and curbs), 120 (water line), and 121 (storm sewer) on August 11, 1987.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

12. Special Use Permit - August Kelcher
On October 5, 1987, the Town Board held a public hearing on this matter and reserved decision.
13. Subdivision Approval - Forestream Village (Dilapo - Transit Rd.)
On September 8, 1987, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
14. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redlein Dr.)
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
15. Subdivision Approval - The Meadows Subdivision (Giallanza - Aurora)
On July 7, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report. On September 3, 1986, the Planning Board recommended to the Town Board approval of this proposed subdivision. On September 26, 1986, the Planning Board rescinded their recommendation for approval of the preliminary plot previously adopted on September 3, 1986.
16. Traffic Signal - Intersection, Genesee Street and Ransom Road
On September 17, 1987 the New York State Department of Transportation informed the Town Board that a traffic signal will be installed at this intersection and the speed limit lowered to 45 M.P.H. in this area.
17. Traffic Study - Speed Reduction, Peppermint Road
On March 16, 1987, this matter was referred to the Police and Safety Committee and to the Police Chief for investigation and recommendation.
18. Traffic Study - Speed Reduction, Brunck Road
On September 21, 1987 this matter was referred to the Police and Safety Committee and to the Police Chief for investigation and recommendation.
19. Zoning Ordinance and Map Update
On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQOR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQOR review.

PERSONS ADDRESSING THE TOWN BOARD:

Kenneth Krieger, 5819 Genesee Street, complained to the Town Board about his real property assessment and also complained about the damage to his mailbox caused by the Town Assessor.

David Lechner, 3893 Walden Avenue, complained of illegal dumping on the premises of Lancaster Steel on Walden Avenue.

The Building Inspector was requested to investigate this matter and report to the Town Board.

William Pfell, 47 Schlemmer Road, asked and received from the Board a report on the present status of the Zoning Ordinance Master Plan Update.

COMMUNICATIONS:DISPOSITION

686. Town Engineers to Town Board - Recommend Enterprise Dr. water line contract award to Kissell Excavating, Inc.	R & F
687. Supervisor to County Highway Supt. - Suggestion of immediate measures to be taken re: Como Park/Penora St. Intersection.	R & F
683. Town Engineers to Town Board - Status re: School St. Bridge on-site inspection costs.	HIGHWAY COMMITTEE
689. Town Engineers to Town Board - Recommend acceptance of Countryview East, Phase IV, P.I.P. Nos. 111, 112, and 113.	R & F
690. Lancaster Village Clerk to Town Board - Appreciation for various data re: Historic Preservation District.	R & F
691. Town Attorney to Schreiber Contracting Co. - Comments re: utilization of minorities and women in the School St. Bridge Project.	R & F
692. Donato Devel. Co. to Town Board - P.I.P. Application No. 129 for detention basin in Warnerview Estates.	TOWN ENGINEER
693. Town Attorney to John R. Schuler, Inc. Request closeout documents for Contract LT-2 be signed and submitted to Town Engineers.	R & F
694. Town Attorney to Bablinsky Klein Engineering - Advisement re: Police/Court Bldg. HVAC bid opening.	R & F
695. Building Inspector to Town Board - Recommendation of approval of Oleksy Dumping Permit Application.	R & F
696. <u>Intercom</u> Publication - Article entitled "Mandate Task Force to Assist Local Communities".	R & F
697. Lovell Safety News - Articles re: OSHA standards.	TOWN ATTORNEY TOWN CLERK
698. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney - Legal Notice and four variance petitions for meeting of 10/8/87.	R & F
699. Assoc. of Erie County Gov'ts to Supervisor - Notice of meeting to be held 9/24/87 at Buffalo and minutes from meeting held 8/27/87.	R & F
700. Blue Cross/Blue Shield to Supervisor - Transmittal of COBRA Bulletin.	R & F INSURANCE
701. Marrano/Marc Equity to Supervisor - Transmittal of letter sent to Wayside Dr. residents advising procedures re: stake out of rear property line on north side of Wayside.	TOWN ATTORNEY
702. Josela Enter. to Town Board - Notification of decision not to proceed with multifamily housing development on Bowen Rd.	R & F

COMMUNICATIONS CONT'D:DISPOSITION

703. County Executive to Supervisor - Transmittal of updated version of Erie County Business Development Fund Program criteria.	R & F
704. Councilman Miller to Town Board - Report of attendance at conference held 9/9-11/87 at Washington, D.C.	R & F
705. Town Attorney to Schreiber Contracting Co. - Notice of compliance conference to be held 10/1/87 re: School St. Bridge contract.	R & F
706. Town Attorney to County Attorney - Request advisement to Dept. of Public Works re: placement of traffic signals on inter- secting county highways.	TOWN ATTORNEY
707. Town Attorney to N.Y. Telephone Co. - Advisement re: Erie County Tax Act, Article 5, Collection of School District Taxes.	R & F
708. Assessor to Town Board - Comments re: 1988 Roll - Special Franchise.	R & F
709. Town Attorney to Alden Supervisor - Transmittal of list of properties to be added to Special Districts Roll for 1988.	R & F
710. Town Attorney to Clarence Supervisor - Schedule of 1988 charges to be applied re: Water Service Contract.	R & F
711. Police Chief to Public Safety Comm. Chairman - Request Emergency Response Team members attendance at training exercise from 10/12- 14/87 in Fort Drum.	R & F
712. Building Inspector to Town Board - Recommendation that Dumping Permit Application of Clyde Mays be approved.	DRAINAGE COMMITTEE
713. Supervisor to Town Board - 1988 Budget Message of the Supervisor.	R & F
714. Town Clerk to Town Board - List of contracts due to expire 12/31/87.	TOWN ATTORNEY SUPERVISOR
715. Assessor to Town Board - Comments re: residential and commercial property values.	R & F
716. Recreation Dir. to Town Clerk - Notification of resignation of Jeannie Feldmann and hiring of Susan Farmer in position of nutrition worker.	R & F
717. Town Clerk to Marrano/Mrc Equity - Request renewal Letter of Credit re: Retention Basin, Country View East Subdivision, Phase 1.	TOWN CLERK FOR DOCKET
718. County Dept. of Environ. and Planning to Supervisor - Notice of workshop to be held 10/29/87 at E. Aurora entitled "Site Development Plan Review".	R & F

COMMUNICATIONS CONT'D:DISPOSITION

719. Police Chief to Supervisor - Comments and requests re: services performed for base station.	R & F
720. D.C.O. to Town Board - Monthly report for September 1987.	R & F
721. Jones Intercable to Town Board - Comments re: 1987-88 Sabres Hockey cablecasts.	R & F
722. LVAC to Supervisor - Invitation to Town employees to attend a Defensive Driving course to be held on 11/10 and 11/12/87 and an alternative class on on 11/8/87.	R & F
723. Town Engineers to Town Board - Recommendation that Plumb Estates P.I.P. Nos. 99, 100, and 101 be accepted.	R & F
724. Youth Bureau Ex. Dir. to Supervisor - Request permission to attend the Assoc. of N.Y.S. Youth Bureaus' Annual Conference from 11/8-11/87 at Unlondale, N.Y.	TOWN CLERK FOR RESOLUTION 10/19/87
725. Sen. Volker to Supervisor - Response to letter re: traffic control at Genesee St. and Ransom Rd. Intersection.	LETTER TO GRABER & VOLKER-THANK YOU FOR ASSISTANCE
726. Supervisor to County Div. of Highways - Request corrective measure be taken re: Ransom Rd. Bridge.	R & F
727. N.Y.S. Dept. of Environ. Conservation to Supervisor - Concurrence Town should act as SEQR Lead Agency re: proposed Warnerview Estates Subdivision.	SEQR FILE
728. Assemblyman John Sheffer, II to Supervisor - Transmittal of Draft Proposal for an Ellicott Creek Improvement Project and notice of meeting to be held 10/20/87 at Williamsville.	SUPERVISOR
729. N.Y.S. Environ. Conservation to Supervisor - Petroleum Bulk Storage Registration Certificate.	TED MALONE
730. Lancaster H.S. Motorcade Committee to Town Board - Request permission to travel Town streets on 10/30/87.	CHIEF FOWLER
731. Fox & Co. to Supervisor - Analysis of distribution of sales tax.	R & F
732. Twin Dist. V.F.C. to Town Board - Recommendation of addition to and deletion from active roster of members.	R & F

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications;
SUSPENSION GRANTED.

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| 733. President of Police Benevolent Association to
Town Board -
Re: Town of Lancaster - Deferred Compensation Plan | <u>R & F</u>

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| 734. Town Attorney to Town Board -
Fire Dispatch Agreement - Town of Lancaster &
Town of Alden. | <u>SUPERVISOR R & F</u>

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| 735. Walden Ave. Resident to Town Board -
Re: Opposition of Special Use Permit for 3889
Walden Avenue. | <u>R & F</u>

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| 736. Industrial Development Agency to Town Board -
Interim Report on industrial construction in the
Town of Lancaster including the Village. | <u>BEE PUBLICATION</u>

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| 737. Twin District Vol. Fire Co. to Town Board -
Reinstate member of Fire Department. | <u>R & F</u>

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| 738. Depew Village Clerk to Town Board -
Legal Notice of Public Hearing-rezone of 4955
Broadway. | <u>R & F</u>

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ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 11:30 P.M. out of
respect to:

CHARLES C. PEMPSELL, JR.
WALLACE W. COLE
PHILIP LYNCH
ANTHONY CELESTE
VITO AMATURA

Signed Robert P. Thill
Robert P. Thill, Town Clerk